



# Department of Justice

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## PRESS RELEASE

Albany, New York —United States Attorney Richard S. Hartunian and Tracy Gast, Special Agent-in-Charge, United States Secret Service, Buffalo Field Division, announced today that **JOSE GARCIA**, age 33, of Albany, New York, was sentenced today by U.S. District Court Judge Thomas J. McAvoy to six months of home detention and three years of probation. The sentence was imposed following **GARCIA'S** September 29, 2009 guilty plea in which he admitted participating in a conspiracy to make, utter and possess counterfeit securities in violation of Title 18, United States Code, Sections 371 and 513(a).

In connection with his plea, **GARCIA** admitted the following:

Beginning in or about the Fall of 2003, co-conspirator Jonathan Ball, and his brother, co-conspirator Stephen Ball, began writing and printing counterfeit checks drawn on fictitious businesses and checks drawn on a closed account of a real business, which they cashed and recruited others to cash for them. Both Jonathan Ball and Stephen Ball created the counterfeit checks using company names that were familiar to them or by developing variations of those names. Jonathan Ball also used his own company's account (a real business named "SCC, Inc.") to write checks for which there were no funds. Jonathan Ball and Steven Ball printed the counterfeit checks drawn on fictitious businesses and the checks drawn on a closed account of a real business on a fax/scanner that they kept in the apartment they shared in East Greenbush, New York. The two co-conspirators scanned the checks into a computer and used a check writing program that they had altered to produce the checks. Jonathan Ball and Stephen Ball, or their enlistees, cashed the counterfeit checks drawn on fictitious businesses, and the checks drawn on the closed account of a real business, at various Price Chopper supermarkets in the Capital District area.

In addition to cashing the checks themselves, Jonathan Ball and Stephen Ball recruited their friend, JOSE GARCIA, also known as "Chief," to (i) cash counterfeit checks drawn on fictitious businesses; (ii) cash checks drawn on a closed account of a real business; and (iii) recruit others to cash the aforesaid

checks. JOSE GARCIA is the person who enlisted co-conspirators Lindsey Johnson and Vincent Smith in the conspiracy. During the conspiracy, JOSE GARCIA was provided with counterfeit checks drawn on fictitious businesses and checks drawn on a closed account of a real business. In exchange for a portion of the checks' proceeds, JOSE GARCIA cashed said checks at various Price Chopper supermarket locations throughout the Capital District. JOSE GARCIA also directed others to cash said checks at various Price Chopper supermarket locations and the remainder of any proceeds from said checks cashed by GARCIA's enlistees was shared by Jonathan Ball, Stephen Ball, and GARCIA

After a period of time, co-conspirator Lindsay Johnson also began recruiting individuals for the check cashing scam. Co-conspirator Lindsay Johnson would give JOSE GARCIA a list of names, which GARCIA would then pass on to Jonathan Ball who would print the counterfeit checks drawn on fictitious businesses and the checks drawn on a closed account of a real business, using the corresponding names as payees. Once the checks were produced, GARCIA or co-conspirator Lindsay Johnson would give said checks to certain individuals / payees for cashing at various Price Chopper supermarkets. JOSE GARCIA and co-conspirators Lindsay Johnson, Jonathan Ball and Stephen Ball would share in the remainder of the proceeds from the checks cashed.

As a result of the conspiracy, which continued until in or about February, 2004, JOSE GARCIA and his co-conspirators cashed, or caused to be cashed, at least sixty-nine checks totaling approximately \$34,837.30 at various Price Chopper supermarkets in the Capital District area.

This case was investigated by the Secret Service's Albany, New York Resident Office.

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